



Policy: 2302
Procedure: 2302.04
Chapter: Juvenile Rights and Hearing
Rule: Parole Violation Warrants

Effective: 10/31/07
Replaces: 4330.04
Dated: 06/19/07

Purpose:

Arizona Department of Juvenile Corrections (ADJC) personnel may issue a warrant for the apprehension of a juvenile who is committed to ADJC and who is on conditional liberty status when it has been determined that the juvenile poses a serious threat to the safety of the community or themselves.

Rules:

1. Prior to requesting a warrant, the **PERSON INITIATING THE WARRANT REQUEST [PAROLE OFFICER (PO), PAROLE SUPERVISOR (YPS), OR A COMMUNITY CORRECTIONS ADMINISTRATOR (CCA)]** shall consider the following questions about a juvenile who is alleged to have violated conditions of conditional liberty. The **PO, YPS, OR CCA** shall be able to support at least one:
 - a. Is the juvenile alleged to have committed an offense so violent or aggressive in nature that the public would continue to be at risk if the juvenile remained at liberty without strict supervision?
 - b. Has the juvenile's misbehavior been so chronic that the public's property would continue to be at risk if the juvenile remained at liberty without strict supervision?
 - c. Can the **PO, YPS, OR CCA** present documentation that the juvenile is likely to commit an act that would be injurious to him/herself or others if the juvenile remained at liberty without strict supervision?
 - d. Can the **PO, YPS, OR CCA** present documentation that the juvenile is likely not to appear at any future hearing?
 - e. Can the **PO, YPS, OR CCA** establish that contact cannot be made with the juvenile, and the **PO, YPS, OR CCA** is alleging that the juvenile is a potential threat to the community based upon current alleged behavior? If so, the **PO, YPS, OR CCA** shall document the nature and number of attempts to contact the juvenile on the request.
2. **Requesting a Warrant During Regular Business Hours** (Regular business hours are Monday through Friday, 8:00 AM to 5:00 PM, excluding holidays) - The **PO, YPS, OR CCA** shall complete the request for a warrant to apprehend a juvenile and forward it to the Parole Supervisor or designee for review. The **PO, YPS, OR CCA** shall follow the steps below in order to request a warrant:
 - a. After notification that the juvenile has absconded, the **PO, YPS, OR CCA** shall move the juvenile to absconder status in ADJC Windows Youthbase;
 - b. The **PO, YPS, OR CCA** shall staff the case with the Parole Supervisor, or designee, for approval. During this staffing, the **PO, YPS, OR CCA** shall develop a plan for the juvenile upon his/her apprehension. The plan shall include:
 - i. What shall happen to the juvenile if there are no new charges upon apprehension?
 - ii. Where the juvenile shall go, if not detained?
 - iii. What shall be the alternative plan in the event placement is being recommended, but is not available?
 - c. The **PO, YPS, OR CCA** shall complete a citation utilizing the ADJC Apprehension Warrant located in the ADJC email database system. Information in this form shall include:
 - i. Alleged violations of the law;
 - ii. Alleged violations of conditional liberty guidelines; and
 - iii. Pertinent documentation as outlined in 1(a)-(e) that supports the request for a warrant.

Procedure No. 2302.04 Parole Violation Warrants

Page 2 of 3

- d. The **PO OR YPS**, shall present the citation to the **PAROLE SUPERVISOR OR DESIGNEE** who shall review the information on the Apprehension Warrant;
 - e. If the Parole Supervisor or designee approves the requested warrant, the **PO, YPS, OR CCA** shall transmit the ADJC Apprehension Warrant via email;
 - f. Within two hours of the transmission of the ADJC Apprehension Warrant email during regular business hours, the **CHIEF HEARING OFFICER OR DESIGNEE** shall:
 - i. Call the **PO, YPS, OR CCA**;
 - ii. Swear the **PO, YPS, OR CCA** in;
 - iii. Inquire as to the probable cause for the requested warrant;
 - iv. Approve or deny the requested warrant;
 - v. Fax a signed copy of the approved warrant to the **PO, YPS, OR CCA**; and
 - vi. Provide a copy to the Victims' Rights Unit.
 - g. The **PO, YPS, OR CCA** shall enter the approved warrant in the ADJC Windows Youthbase system;
 - h. The **PAROLE SUPERVISOR OR DESIGNEE** shall review and sign all citations and warrant requests and shall ensure a copy is placed in the juvenile's Field File.
3. **Requesting a Warrant After Business Hours** - In the event that a warrant is requested for a juvenile after business hours and the warrant is approved by the Parole Supervisor or On-Call Parole Administrator, the **PO, YPS, CCA, OR ON-CALL PAROLE ADMINISTRATOR** shall contact the Chief Hearing Officer or designee in accordance with the assigned contact protocol Form 2302.04B Restrictive Placement and Warrant Phones:
- a. Within six hours of the transmission of the ADJC Apprehension Warrant email after business hours, the **CHIEF HEARING OFFICER OR DESIGNEE** shall:
 - i. Call the **PO, YPS, OR CCA**;
 - ii. Swear the **PO, YPS, OR CCA** in;
 - iii. Inquire as to the probable cause for the requested warrant;
 - iv. Approve or deny the requested warrant;
 - v. Fax a signed copy of the approved warrant to the **PO, YPS, OR CCA**; and
 - vi. Provide a copy to the Victims' Rights Unit.
 - b. The **PO, YPS, OR CCA** shall enter the approved warrant in the ADJC Windows Youthbase system;
 - c. The **PAROLE SUPERVISOR OR DESIGNEE** shall review and sign all citations and warrant requests and shall ensure a copy is placed in the juvenile's Field File.
4. Each warrant request requires administrative review:
- a. The **PAROLE SUPERVISOR OR DESIGNEE** shall review the warrant request and maintain a monthly log of approved warrants requested in each parole office;
 - b. The **PAROLE SUPERVISOR OR DESIGNEE** at each office shall notify the appropriate Parole Administrator or designee of all approved warrant requests by documenting the list of approved warrants on the ADJC Parole Daily Activity Report for the preceding day;
 - c. Copies of all citations issued by PO or CCA are automatically sent to the Parole Administrator, Absconder Liaison Officer, the PO or CCA, and Adobe Mountain School via the automated e-mail database system;
 - d. The **PO, YPS, OR CCA** shall file the hard copy of the warrant request in the juvenile's Field File;
 - e. Within 24 hours, the **ADOBE MOUNTAIN SCHOOL TERMINAL OPERATOR CERTIFIED (TOC)** shall enter the warrant information into the Arizona Criminal Information Center (ACIC)/National Criminal Information Center (NCIC).
5. Upon apprehension of a juvenile on warrant status:
- a. The **PO, YPS, OR CCA** shall consider the following information, prior to the implementation of the plan that was recommended for the juvenile at the time of the warrant:

Procedure No. 2302.04 Parole Violation Warrants

Page 3 of 3

- i. Was the juvenile arrested on additional charges that present a serious risk to the juvenile or community safety?
- ii. Was the juvenile detained on the warrant but other charges are pending that present a serious risk to the juvenile or community safety?
- iii. Was the juvenile detained on the warrant only but the **PO, YPS, OR CCA** can present documentation that the juvenile's behavior presents a serious risk to the juvenile or community safety?
- b. If the response is **YES** to any of the above questions, then the **PO, YPS, OR CCA** may request of the Parole Supervisor or On-Call Parole Administrator that the juvenile return to secure care during regular business hours. After business hours, the **PAROLE SUPERVISOR OR THE ON-CALL PAROLE ADMINISTRATOR** shall review all requests for return to a secure facility;
- c. If the answer is **NO** to all of the above questions, the **PO, YPS, OR CCA** shall implement the plan of action that was devised at the time of the staffing with the Parole Supervisor. This plan may include:
 - i. Placement of juvenile in a community residential program or shelter upon available bed space; and
 - ii. Return of the juvenile to the home or previous placement, with sanctions.
- d. If the juvenile is placed in a community residential program or shelter, within 72 hours the **PO, YPS, OR CCA** shall:
 - i. Hold a staffing with the juvenile and placement staff in order to devise a specific plan of action while the juvenile remains in the residential placement or shelter care;
 - ii. Clear the warrant in Windows Youthbase after the juvenile has been apprehended prior to conclusion of the business day or, if the juvenile is apprehended at night, on weekends, or holidays, during the next day of business;
 - iii. Verify that the juvenile has been moved from absconder status in Windows Youthbase to the juvenile's current location after being apprehended prior to the conclusion of the business day or, if a juvenile is apprehended at night, on weekends, or holidays, during the next day of business; and
 - iv. Cancel the warrant when a juvenile has reached his/her eighteenth birthday.

Signature Date

Approved by Process Owner

Charles J. Adornetto, Esq. Chief Hearing Officer

Effective Date

Approved by

10/31/2007

Michael D. Branham, Director